

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Norfolk Division

UNITED STATES OF AMERICA

v.

Case No. 2:25-mj-55

RAUL HECTOR VASQUEZ-ROBLES,

Defendant.

**UNITED STATES' MOTION FOR
RECONSIDERATION OF ORDER DENYING STAY**

The United States moves for reconsideration of this Court's April 8, 2025, order denying a stay of defendant's release pending this Court's review of Magistrate Judge Leonard's release order. *See* ECF No. 19. In support of reconsideration, the government submits two new pieces of information developed after the detention hearing.

First, on April 10, 2025, the government learned that defendant has six active Wayne County, North Carolina, arrest warrants for failure to appear. *See* Exhibit 1 at 1–32. The warrants stem from serious charges including second-degree trespass, driving while impaired, hit and run with property damage, and reckless driving in 2015 and 2016. *See id.* Defendant's numerous arrest warrants for failure to appear underscore his risk of flight and demonstrate the government's likelihood of success on its revocation motion.

Second, on April 8, 2025, the government learned that police have responded to three separate overdose incidents at the home of the assigned third-party custodian, Carol Sipes Palmer. In determining that Palmer was a suitable third-party custodian, Magistrate Judge Leonard specifically considered that “[n]either Palmer nor the other residents of her home have a criminal

history [and] there are no firearms in her home.” ECF No. 16 at 5. However, in 2020 and 2021, police responded to three overdoses involving Palmer’s roommate and found drugs in the home on two occasions. On the occasion of the third overdose, Palmer told police that her roommate was a former heroin addict and that the roommate owed Palmer \$60,000. Palmer also identified a man she knew to be her roommate’s drug dealer. This man was present at the home when police responded to the second overdose. The government brings this information to the Court’s attention given that Magistrate Judge Leonard’s release order requires defendant to reside at Palmer’s residence and prohibits him from using any controlled substance unless prescribed by a medical provider. ECF No. 16 at 13. This new information suggests that releasing the defendant to Palmer’s custody is not reasonably likely to assure his appearance. *See, e.g., United States v. Mitchell*, No. 1:23-mj-157, 2023 WL 5438156, at *6 (E.D. Va. Aug. 23, 2023) (Alston, J.) (granting government’s motion to revoke release order where, among other considerations, the Court had “concerns about whether” the proposed third-party custodian “would dissuade Defendant from absconding”).

As of this filing, defendant remains in custody because the conditions of his release have not been satisfied. At the same time, the hearing on the government’s motion to revoke the release order has been continued to April 21, 2025. Should defendant “flee” before this Court can review the release order, the government would be “irreparably injured” and the public interest would be harmed. *See United States v. Salazar-Andujo*, 599 F. Supp. 3d 491, 496–97 (W.D. Tex. 2022). Based on this new evidence confirming defendant’s flight risk and undermining the suitability of the third-party custodian, the government respectfully requests that the Court reconsider its prior order and grant a stay pending review of the release order.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on April 11, 2025, I electronically filed a copy of the foregoing motion with the Clerk of Court through the CM/ECF system, which will cause a copy to be served upon all counsel of record.

/s/

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